

Remarks

Applicant has amended claim 1 to delete the language identified by the Examiner as failing to meet the requirements of S. 122 second paragraph.

In claims 1, 14, and 17, rejection was made based on the use of the language "substituted derivative of phosphoric acid" (emphasis added). Applicant has corrected the word "phosphoric" to the intended meaning of "phosphonic". Phosphonic acid is the phrase used throughout the specification. It is defined in specification at page 7 as "In the 3'-O-position, R₂ is a derivative of phosphonic acid, such as an N,N- and O-substituted phosphoramidite group, whereby the N-substituents are alkyl- or aryl-groups which can be further substituted and /or cyclically connected to each other. By activation of the nitrogen of the disubstituted amino-group the phosphorus centre is activated for coupling the unit to a growing chain." There are additional references to the use of phosphoramidites in the R₂ position throughout the specification. With the claim amendments, Applicant believes the Examiner's rejection based on insufficient description has been overcome, because phosphonic acid and its substituted derivatives can be determined by one skilled in the art based on the specific definition and the examples provided in the specification. Applicant regrets the confusion caused by the typographical error in the claims.

Claims 1, 8, and 15 have also been amended to overcome Examiner's rejection based on alleged confusing language employed regarding the definitions of R₄, R₅ and R₆. The amendment draws support from the language in the specification, particularly that used to exemplify and describe Formula 3 (on page 8, last paragraph) and Formula 2 (on page 7, following Formula 2).

Regarding the rejection to claims 1-6, 8, and 11, Applicant acknowledges that 'vicinal' is the incorrect word to describe the 'alpha' or 'directly bonded' relationship between the Si atom and R₄, R₅ and R₆. Formula 1 and Formula 3 both clearly illustrate the "directly bonded" relationship between the Si-atom and R₄, R₅ and R₆, thus it is believed that the phrase "directly bonded" has support in the specification, and directly resolves any discrepancy about the meaning of this claim term.

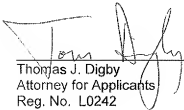
Claims 5, 6, 11 have been rejected on the basis of an improper expansion of the scope of the claim by use of the phrase "substituted heteroatom". Applicant has amended both claim 1 and claims 5, 6 and 11 to make the substituted heteroatom language consistent between them.

Claim 16 has been cancelled.

It is believed that the claims are now in order for allowance. Should the Examiner have any questions, please contact the undersigned attorney.

Respectfully submitted,

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